

LAWS OF VERMONT.

1.—An act, altering the term of the Supreme Court in the county of Chittenden.

It is hereby enacted by the General Assembly of the State of Vermont, That in future the supreme court of said state shall be holden at Burlington, within and for the county of Chittenden, on the Thursday next preceding the first Tuesday of January in each year. And all complaints, informations, indictments, actions and suits, bills, petitions, and every other matter or thing, in law or in equity, now pending in, and all writs and warrants, appeals, recognizances, and every other matter or thing, returnable to, or hereafter made returnable to, the said court in said county, shall appear and have day in said court at the next term thereof, holden in said county, according to the provisions of this act.

Provided, That this act shall take effect from and after the passage of the same.

CARLOS COOLIDGE, Speaker
of the House of Representatives.

D. M. CAMP, President of the Senate.

November 14, 1836.

Approved, S. H. JENISON.

2.—An act, in addition to an act dividing the State into Judicial Districts, passed October 29th, 1833.

Sec. 1. It is hereby enacted by the General Assembly of the State of Vermont, That the county of Grand Isle shall hereafter be annexed to the third judicial circuit, and the county of Lamoille shall be annexed to the fifth judicial circuit.

Sec. 2. It is hereby further enacted, That this act shall take effect immediately on the passage thereof.

CARLOS COOLIDGE, Speaker
of the House of Representatives.

D. M. CAMP, President of the Senate.

November 10, 1836.

Approved, S. H. JENISON.

3.—An act, in addition to an act entitled "an act constituting the Supreme Court of judicature and county courts, defining their powers and regulating judicial proceedings."

It is hereby enacted by the General Assembly of the State of Vermont, That the judges of the supreme court shall not hereafter be required to account to the Treasurer of the state for the fees paid to them respectively by the several clerks of counties for the benefit of said judges, agreeably to the act to which this is an addition, passed November eighteenth, one thousand eight hundred and twenty-four, and the act entitled "an act establishing permanent salaries for the judges of the supreme court of this state," passed October thirty-first, one thousand eight hundred and four.

Provided, however, That if the fees of either of said judges shall at any time exceed the sum of one hundred and twenty-five dollars per annum, such judges shall account to the Treasurer for such excess.

CARLOS COOLIDGE, Speaker
of the House of Representatives.

E. N. BRIGGS, President pro tem.
of the Senate.

November 17, 1836.

Approved, S. H. JENISON.

4.—An act, in addition to an act entitled "an act to empower the Judges of the Supreme Court to grant bills of divorce, and to repeal parts of certain acts therein mentioned," passed November 7, 1835.

It is hereby enacted by the General Assembly of the State of Vermont, That in all petitions now pending, or that may be hereafter pending, in the supreme court for bills of divorce, the conviction of the petitioner of any crime, and sentence thereon to three or more years imprisonment, and actual commitment thereon to the state prison, shall be taken and deemed to be a wilful desertion for three years, within the true intent and meaning of said act—any law or custom to the contrary notwithstanding.

CARLOS COOLIDGE, Speaker
of the House of Representatives.

D. M. CAMP, President of the Senate.

Nov. 10, 1836.

Approved, S. H. JENISON.

5.—An Act, concerning County Court Writ.

It is hereby enacted by the General Assembly of the State of Vermont, That justices of the peace shall have the same power to sign all original writs, returnable to the county court of their respective counties, that the clerks of the several county courts now have; which writs may run into any county or place within this state, and be there executed by any officer to whom directed.

CARLOS COOLIDGE, Speaker
of the House of Representatives.

D. M. CAMP, President of the Senate.

November 3, 1836.

Approved, S. H. JENISON.

6.—An Act, repealing part of "an act allowing endorses to maintain actions in their own names."

It is hereby enacted by the General Assembly of the State of Vermont, That the proviso to the first section of an act entitled "an act allowing endorses to maintain actions in their own names," also an act entitled "an act in explanation of, and in addition to, an act therein mentioned," passed November the first, in the year one thousand eight hundred and thirty-two, be, and the same are, hereby repealed.

Provided, That nothing in this act shall impair any right which has accrued under the act to which this is an amendment.

CARLOS COOLIDGE, Speaker
of the House of Representatives.

E. N. BRIGGS, President pro tem.
of the Senate.

November 17, 1836.

Approved, S. H. JENISON.

8.—An Act, to repeal part of an act relating to legal settlement.

It is hereby enacted by the General Assembly of the State of Vermont, That the twentieth section of an act entitled "an act defining what shall be deemed and adjudged a legal settlement, and for the support of the poor; for designating the duties and powers of the overseers of the poor, and for the punishment of idle and disorderly persons," passed March third, in the year one thousand sev-

en hundred and ninety-seven, excepting the last proviso to said section, be, and the same is, hereby repealed.

Provided, That this act shall not effect any suit already commenced, but the same shall be heard and finally determined in the same manner as though this act had not been passed.

CARLOS COOLIDGE, Speaker
of the House of Representatives.

E. N. BRIGGS, President pro tem.
of the Senate.

November 17, 1836.

Approved, S. H. JENISON.

15.—An Act, to provide for the receipt and disposition of the Public Money of the United States which may be deposited with this State.

Sec. 1. It is hereby enacted by the General Assembly of the State of Vermont, That the Treasurer of this state be, and he is hereby, authorized to receive from the Secretary of the Treasury of the United States all the money which is directed to be deposited with the state of Vermont, by virtue of the provisions of an act entitled "an act to regulate the deposits of the public money," passed by the Congress of the United States at the session thereof now last past, and approved by the President on the twenty-third day of June, Anno Domini one thousand eight hundred and thirty-six; and the said Treasurer of this state is hereby directed and empowered to execute and deliver to the said Secretary of the Treasury of the United States certificates of deposit for said money, pledging the faith of this state for the safe keeping and repayment thereof, in conformity with the provisions of said act.

Sec. 2. It is hereby further enacted, That each incorporated town in this state may, on or before the first day of January next after the passage of this act, at a town meeting duly warned and holden for the purpose, and at each and every March meeting after the year one thousand eight hundred and thirty-seven, elect, by ballot, three trustees of such town, for the purpose of receiving and managing such portion of the public money as may be deposited in such town agreeably to the provisions of this act, which trustees shall execute their bond to the town, with three or more sufficient sureties, in such sum as the selectmen of such town shall direct and accept, conditioned for the faithful performance of their duty in the loaning, managing and accounting for such sum or sums of money as may be placed in their charge agreeably to the provision of this act, and each town that shall appoint such trustee, and receive by them such deposit money, shall be accountable for the return of said money, or any part thereof to the state treasury, whenever called for by the state Treasurer upon the requisition of the United States, or for the purposes of a new apportionment, in the same manner as towns are now accountable for the state taxes.

Sec. 3. It is hereby further enacted, That the Treasurer of this state shall, on the receipt of any portion of such money, deliver to the trustees of the respective towns such sum as such towns shall respectively be entitled to receive on deposit agreeably to the census taken in the year one thousand eight hundred and thirty, and such trustees shall respectively execute to the Treasurer of the state certificates of such deposits, in such form as the said state's Treasurer is required to execute to the Secretary of the Treasury of the United States, agreeably to the provisions of the act mentioned in the first section of this act.

Sec. 4. It is hereby further enacted, That the trustees of the respective towns shall loan out the money so deposited to such persons and in such sums as they shall judge expedient, for a term not exceeding one year at one time, and on such security, either with one or more sureties or on mortgage, as they shall deem amply safe, at an interest of six per cent., payable annually, and make all securities taken for the same payable to the town loaning the money, and such money may, after the expiration of the time for which it shall be loaned, be collected by the trustees in such town, and re-loaned, whenever they deem it expedient.

Sec. 5. It is hereby further enacted, That the interest arising from the money deposited in any town shall annually be appropriated by such town to the use of common schools in such town, agreeably to the provisions of this act; and in the year eighteen hundred and forty-one, and as often thereafter as a census shall be taken by the authority of the United States, or of this state, it shall be the duty of the Treasurer to make a new apportionment of the money so deposited as aforesaid among the several organized towns, according to the population thereof, and shall have power to call upon the several towns who have in deposit a larger amount of said money than their proportion for the amount of such excess, and it shall be the duty of the trustees of such towns to pay over the sum to the Treasurer aforesaid, who shall thereupon deposit the same in such towns as have not their portion of said money in deposit, in proportion to their population.

Sec. 6. It is hereby further enacted, That if any town shall have other school funds, sufficient to support a school in the several school districts in such town for six months in each year, then and in such case it may be lawful for such town to appropriate the income from said deposit money to such other use as such town may direct.

Sec. 7. It is hereby further enacted, That it shall be the duty of the grand jurors, empanelled before the county courts in the several counties in this state, in each and every year to inquire into the manner in which the several towns in their respective counties have managed said money and the annual interest thereof and shall present to said courts an indictment against each and every town of said county in which the duties of said towns have not been attended to agreeably to the provisions of this act; and any town so indicted shall, on conviction, be sentenced to pay a fine, not exceeding the amount of double the annual interest of all the money deposited with the trustees of such town in conformity with the provisions of this act, in the discretion of the court, together with costs of prosecution, which fine and costs shall be paid to the treasurer of the county in which the conviction shall be had, and to the use of said county.

Sec. 8. It is hereby further enacted, That if any town or towns shall neglect or refuse to appoint their trustees for the purpose of receiving their proportion of said money agreeably to the provisions of this act, the Treasurer of the state shall put the same to use, in such manner as he shall deem most expedient, and annually pay over to such town or towns the interest arising from such sum as they were entitled to receive on deposit.

Sec. 9. It is hereby further enacted, That this act shall take effect from and after the passing of the same.

CARLOS COOLIDGE, Speaker
of the House of Representatives.

E. N. BRIGGS, President pro tem.
of the Senate.

November 17, 1836.

Approved, S. H. JENISON.

Legislature of Vermont.

Surplus revenue—IN SENATE, Nov. 14.

DEBATE.

On the proposed amendment to the revenue bill, reported by the committee on finance.

Mr. Ranney remarked in substance as follows:—I consider the objections urged against the passage of the bill, and in support of the amendment, to consist—1st, in the difficulty of distributing it among the several towns in this state, and 2d in recovering it again from the towns, in case it should be wanted by the general government. In answer to the first of these objections, suffer me to reply that the cashiers of the several banks in their respective counties would rejoice in the opportunity of receiving the money from the treasury and paying it out to the several town authorities without expense to the state, notwithstanding the provision for its payment in four successive instalments. And as to the second objection, that in case it should be called for by the wants of the national treasury, it is sufficient to observe that there is not the least probability and scarcely a possibility of such a contingency ever happening. For, no one, at all conversant with the proceedings of Congress for the last two or three years can refuse his assent to the position that the distribution bill of the last session, is, *de facto* Clay's celebrated land bill, and the provision for repayment to the national treasury, emanated, not from an expectation of such a result, but to remove constitutional scruples, and as neutral ground between the two great political parties. This proviso in the bill gave an opportunity for the opponents of the immortal Clay to accede to his proposition and at the same time preserve inviolate their freedom of opinion.

But the improbability of its repayment must be apparent from the consideration that the money, when distributed, is in the hands of the people—identified with the interests of the several states, and if it is ever called for, it must be done by the votes of the representatives of that people. And nothing but a state of things requiring direct taxation could authorize such an event.

The policy of our nation ever has been, and I trust ever will be, to supply the wants of government by a protective tariff—by a revenue, which, while it encourages manufacturing industry and enterprise, richly repurchases our national treasury.

But, for argument sake, grant the position assumed by gentlemen in support of the proposed amendment, and admit that a repayment of the money in question should be demanded—is it not, Mr. President, in the hands of the people?—are not town corporations always solvent?—Individuals may fail; corporations of your own manufacture, Mr. President, may fail—and I think I have heard of towns failing!—A bankrupt town would be an anomaly indeed in commercial affairs!

Then I think it must be evident that the money will be safe in the hands of the towns—and as to the practicability of its collection, I have not the least suspicion of the professional skill of the lawyers upon this floor on this subject—let the same securities be given to the state treasury, that are required of the several states by the national government—and none can deny the available condition of this sacred fund.

It is also contended, Mr. President, that the will of the people, in relation to the final disposition of the money, is yet to be ascertained. Is this indeed so? Have gentlemen lived in the midst of their constituents ever since the passage of the distribution act, and are yet unacquainted with their wishes? Was not a provision for the reception and disposition of the surplus revenue, long since considered by the people as one of the most prominent subjects of legislation at this session? But, say the gentlemen on the opposite side of this question, we are entirely unacquainted on this momentous subject, and would wish to defer definitive action, at least, till the next session of the legislature. Well, sir, I would be the last man to urge precipitate legislation, or to oppose the wishes of my constituents, but in my humble estimation, the people have expressed an opinion on this subject—an opinion too, which can neither be denied nor resisted. The overwhelming majority which brought this bill from the other house—which sustained it there through a contest the most daring, determined and obstinate—a conflict waged by talent unexampled in Vermont legislation, and a hostility that defied opposition, I regard as the *vox populi* on this exciting subject. In that department of this legislature, sir, the various sections, and interests, and sentiments of the Vermont yeomanry—of the green mountain boys—are truly and faithfully represented.

But you comply with the provisions of this amendment, Mr. President, and deposit this million of dollars in the numerous banks of Vermont, and you create a nonied aristocracy, which will have a most powerful influence in the councils of the state; it will double or triple banking operations and bank dependencies, and give them a character and influence which cannot be controlled nor resisted. It is said, leave the money there only till the will of the people can be known, or till the census of 1840 will enable us to make a more equal distribution. Well, sir, what would be the effect of such delay? The history of this bill thus far, and the impending storm ahead, admonishes us of the consequences to be feared. At the next session of the legislature, you will, on the one hand, be obliged to contend with all the mighty engines of bank confederacy—of rail-road enthusiasm, and numerous other visionary, though highly useful projects. One portion of our representation will be elected for the purpose, and specially instructed to obtain an appropriation for the Connecticut River rail-road—another for a parallel route on the western side of the green mountains; a third party will contend for the endowment of our literary institutions, and a fourth for a more extensive steam navigation of the lake. And, sir, the longer a decision on this subject is deferred, the longer the more bitter and uncompromising will this contest become, until the interest of the fund will be expended in protracted legislation on the subject.

I regret exceedingly, Mr. President, to discover a disposition in the opponents of this bill to protract debate, and embarrass the progress of this measure by successive amendments, with a view to avoid a final decision of this question during the few remaining days of the present session.

Mr. President, I am anxious to return to my family, and to my professional duties, which, I confess, is my more appropriate

sphere, but I firmly resolve, so far as my feeble efforts can avail, that this session shall be prolonged till January next, unless this important, this all-absorbing and exciting subject, can be disposed of.

Mr. Young said he was in favor of the amendment proposed by the committee, it being the only method yet presented to his mind, whereby the people could avail themselves of the full benefits intended by the offered bounty, but if gentlemen would make some proposition for amending the bill which should appear more congenial to the interests of the people, he would reject the present. But no such proposition having been made, he was bound to support the present, for want of a better. The question as now presented, involved merely a discussion of all that portion of the bill proposed to be stricken out, viz: that which purported to make an appropriation of the money, by dividing it amongst the several towns.

The subject was of vast importance, not only as respected the amount of money in question, but also as respects the manner in which it should be appropriated, to subserve the best interests of the people, both for the present, and also for the future, in case we should be permitted long to enjoy it, without a recall from the United States.

Mr. Young said he was not used to talking with a million of dollars in his mouth, and therefore might appear awkward on the present occasion; but being constrained by the importance of the subject, he should not hesitate to declare his sentiments, however crude and ill-digested they might appear.

Mr. Y. said a very favorite expression was afloat, especially in the atmosphere around the state house, that this money was the money of the people; he acknowledged the truth of the expression, but repudiated the application which some gave it. It was not the money of any particular portion of the people, but of the whole people of the United States. They had accumulated it in their treasury; and having at this time a surplus, which was lying useless, or without profit, they had agreed to deposit the same with the several states according to their population, and let them put it to use for their own benefit, until the people of the United States should see fit to recall it. And the obligation—the pledged faith of the state to return the money when called for—was the only tenure by which we could receive and hold the money, if we received it at all. And, however gentlemen might flatter themselves and others that the money would not be recalled, yet prudence dictated that the state should be placed in the best attitude for refunding it with the least inconvenience to the individual members of the state, in case it should be recalled.

This, then, presented two important questions, viz: 1st, Was there a probability, however remote, that the money would be required of the state, and 2d, If required, in what way and manner can the money be most judiciously invested, so that the state can repay it with the least inconvenience to its citizens, and they in the mean time receive the greatest interest or benefit from the use of the money.

The probability that the money would be called for by the United States, was not to be wholly overlooked or denied. Such a contingency might happen out of the multitude of prospective events which already stare us in the face; but should neither of them happen, Vermont would doubtless be called upon for the money. The disproportion of the population of the United States from the present, at no distant period, might induce a recall of the money for the purpose of a new distribution; for it must be manifest on a moment's reflection, to every man, that the emigration from the Atlantic states, and especially from New England, and the great influx of population at the west, and the valley of the Mississippi, will shortly produce a great disproportion of population from what it now is. And can we expect that people will long permit their money to remain thus disproportionate, when they have the power—when the very nature of the contract is, that it may be called in and again equalized?

Again: the South has long been jealous of the enterprise, and hence of the increasing influence of the North and East. For this reason—for the purpose of crippling our commercial enterprise, they forced upon us the protective system to induce a shift of capital from that of commerce to that of manufacturing. It had the desired effect; and Yankee enterprise and ingenuity at once seized upon the intended evil, and converted it into the greatest good; and while no loss occurred to commerce, manufactures sprung up in every quarter, and produced a prosperity which astonished both friends and enemies.

The South became again jealous, even to a threatening of nullification and disunion, which could only be appeased by a compromise for the reduction of the protective tariff, by a regular gradation, to end in 1842, at which time we have no reason to expect there will be longer a surplus for division among the States, or the people! Add to this, that we have no reason to expect in future as ample sales from our public domain in the west, as have been made for a short time past; which reduction must shortly leave us without surplus, even without economy in the public expenditures; and not enough, should they be stamped with prodigality, and should any catastrophe occur whereby more than the ordinary expenses should be required.

What should be done, or rather what in all probability would be done in such an event? Would the South submit to a tariff, which a short time before had been so obnoxious to them as to threaten a dissolution of the Union rather than to abide it? Would the South submit to a direct tax (which must include a tax upon their slaves)? This would be ten-fold more obnoxious to them than any indirect tax drawn from a tariff, nor would the United States ever resort to a direct tax, or think of collecting, or enforcing it, except in the most extreme cases of protracted war which should threaten our annihilation.

Supposing then it should be necessary hereafter in order to carry on the concerns of government, to employ, or call for more money than the ordinary revenue, what would be the means resorted to in all probability? There could, there would be no other means, than to call in those deposits placed in charge of the several states.

The gentleman from Windham, (Mr. Ranney,) apprehends there is not even a probability that those deposits will ever be called for or reclaimed by the United States,

notwithstanding the nature of the deposits, and the privilege reserved by the United States for the recall, if found necessary. He supposes the money will become so identified with the interests of the people, that their representatives in Congress will neither desire nor venture to vote for its recall.

This might possibly be the case, were all the several states to make the same disposition of their respective deposits, that the bill from the House proposes to make of those contemplated to be placed at our disposal; for in such a case, the people would submit to any species of taxation, rather than collect and return those deposits, which would be most ruinous to any people—producing such a pressure in money matters as the people have not yet known.

Supposing, (as we have a right to suppose,) that a majority of the states should be wise in this matter, and the rest foolish—supposing Vermont alone should be foolish—and that all the states except Vermont should invest their deposits in bank stock, or in any other profitable stock, whereby the people from year to year could receive the interest, (and more ample interest than in any other way,) reserving the principal forever in a way and manner that it might readily be called in and returned to the United States when called for, (if that event should ever happen,) without affecting the interests of individuals in those states, and almost without their knowledge or concern; and supposing under those circumstances, it should be necessary for the United States to call in those deposits, or to raise taxes to the amount by other means—is there a doubt which method the representatives of the people of the United States would adopt?

Let us, then, be as wise as others may be. Let us not be hasty in a matter so important. Let us not undertake to set an example in a matter which is doubtful, to say the least, whether another individual state will follow. Let us not be too hasty in Vermont to exhibit our knowledge and skill in political economy, and financial concerns, in matters of so vast magnitude and probable consequences; but rather to provide for the safety of the deposits, with a view to the present and future interests of the state, and endeavor to elicit, or obtain wisdom from the doings of our sister states in relation to the same matter.

It was generally conceded on all hands, that a vast majority of the people of Vermont wished the interest of the prospective deposits should go to the support of common schools; but it was in no wise conceded, or shown, that the people of Vermont wished to scatter the principal through the several towns, for their management and control. Not an individual would say that this was the wish of the town which he represented, or to which he belonged. Then why so hasty to thus dispose of it at this particular juncture? Why not defer the disposition of the money in prospect until the wishes and interests of the people could better be consulted and ascertained? Are gentlemen willing to say they will not trust the people? that they shall not be left to judge for themselves, lest their judgment should be erroneous?

But gentlemen say it is a matter of too much consequence to be left to the people—that it will be too exciting a subject, and will agitate them at our next fall election—that they will have various projects with respect to the manner in which it shall be disposed of; and that it will affect the election of members.

The magnitude of the subject is a reason why it should be considered by the people, and possibly why it should affect the election of some members to the general assembly. But this distrust of the people would rarely be accepted or received by them, in lieu of a rational love, esteem or regard for them.

It was objected by gentlemen, that the proposed amendment would place the money as fast as received for the coming year in banks, in those limited monopolies, at an interest (until the legislature should again convene with instructions from the people,) not less than five per cent per annum, when those banks were receiving a per cent on their capital vastly above the legal interest. But it was doubtful whether the towns for the coming year could realize more than 5 per cent per annum; and should future legislation, who would come prepared to make a disposition of the money for all time, see fit to place or invest it in bank stock, the people of the state would not only receive such interest yearly as the stockholders of banks receive, but in case of a recall of the money, not an individual in the state would be troubled thereby, as the state would only have to recall or withdraw their capital from the several banks, which capital would doubtless be replaced by capitalists, and thereby produce no pressure in the money market; and the financial wisdom of the state could be in no way better evinced, than by so using the proffered boon as to receive the greatest benefit while with us, and by suffering the least evil or inconvenience whenever it might be recalled.

Mr. Young said he hoped the proposed amendment would be adopted.

We understand that in a printed letter, headed "confidential," from an individual in this city, it is stated that "President Jackson has concluded to recommend to Congress, in his Message, (now in preparation,) the prompt discharge of all just claims against our government, and more particularly the French spoliation claims, that originated prior to the Convention with France, of September 30, 1800." We deem it a duty to the public to say, that there is no foundation for this extraordinary statement.—*Washington Globe.*

STEAM VOYAGES.—The longest steam voyage undertaken at present, is from Palmyra to Corio, being 1,000 miles, and is accomplished at an average speed of seven miles and a half an hour.

[From the Newark Daily Advertiser.]

The Quasi Republic.—We are indebted to a friend in Texas for late intelligence, and papers from that country. Our latest date is the 12th of October, at which time the Legislature of the country were still in session at Columbia.

Some difficulty appears to have been experienced in finding accommodations for the Congress. The Telegraph remarks that a number of families moved out of the place to make room, and the press and office of the paper were removed for the same purpose. The Congress consists of 13 Senators, and 24 Representatives.

Gen. Houston and Vice President Lamar reached Columbia on the 11th.